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# **Elder and Long Term Care Committee**

**Wednesday, March 22, 2006  
11:00 AM – 12:00 PM  
Reed Hall (102 HOB)**

**Meeting Packet**

# **Committee Meeting Notice**

## **HOUSE OF REPRESENTATIVES**

**Speaker Allan G. Bense**

### **Elder & Long-Term Care Committee**

**Start Date and Time:** Wednesday, March 22, 2006 11:00 am

**End Date and Time:** Wednesday, March 22, 2006 12:00 pm

**Location:** Reed Hall (102 HOB)

**Duration:** 1.00 hrs

#### **Consideration of the following bill(s):**

HB 971 Broward County by Sobel

HB 1623 Persons with Disabilities by Bean

**NOTICE FINALIZED on 03/20/2006 14:47 by MANNING.KAREN**



**House of Representatives**

**Elder and Long Term Care Committee**

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**A G E N D A**

**March 22, 2006  
11:00 AM – 12:00 PM  
Reed Hall (102 HOB)**

- I. Opening Remarks by the Chair**
- II. Consideration of the following bill(s):**
  - HB 971 Broward County by Sobel**
  - HB 1623 Persons with Disabilities by Bean**
- III. Closing Remarks by the Chair**
- IV. Adjournment**



## HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

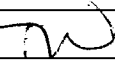
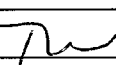
**BILL #:** HB 971

Broward County

**SPONSOR(S):** Sobel

**TIED BILLS:**

**IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Local Government Council	6 Y, 2 N	Smith	Hamby
2) Elder & Long-Term Care Committee		Walsh 	Walsh 
3) Fiscal Council			
4)			
5)			

### SUMMARY ANALYSIS

HB 971 creates an independent special district (district) for the purpose of providing funding for services for seniors in Broward County. The boundaries of the district are coterminous with the boundaries of Broward County. The district is authorized to levy an ad valorem tax not to exceed .5 mill on taxable property within the district subject to referendum approval by voters of the district. The referendum required to approve the ad valorem tax levy must be held in conjunction with the primary election held on September 5, 2006.

The bill provides for the district to be governed by the Broward County Council for Services for Seniors consisting of 11 members: the executive director of the area agency on aging of Broward County; the Broward County director of human services; one member of the Broward County board of county commissioners for a 2-year term; two nonvoting members of the Broward County legislative delegation for the county appointed by the delegation chair for a 2-year term; two representatives of the Broward League of Cities appointed by the President of the League of Cities for a 2-year term; and four members appointed by the Governor for a 4-year term, initially staggered, with reappointment for one additional term permitted, and who meet certain additional qualifications.

The bill sets forth powers, duties, and the financing and budgeting requirements of the district.

The bill provides that the district must comply with all other statutory requirements of general application which relate to the filing of any financial reports or compliance reports.

According to the Economic Impact Statement, anticipated funding from the levy of ad valorem taxes at the maximum allowed millage rate is approximately \$60 million for FY 06-07.

The bill is effective upon its approval by a majority vote of those qualified electors of Broward County voting in a referendum.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Provide limited government** - This bill creates a new independent special district for the purpose of providing services for seniors in Broward County.

**Ensure lower taxes** - The bill authorizes the district to levy an ad valorem tax not to exceed .5 mill on taxable property within the district, pursuant to a referendum.

**Empower families** - The bill permits the district to provide and maintain preventive, developmental, treatment, and rehabilitative services in Broward County that the council determines are needed for the general welfare of the county's seniors.<sup>1</sup> In addition, the council may consult and coordinate with other agencies serving seniors to prevent overlapping of services.

#### B. EFFECT OF PROPOSED CHANGES:

##### Current Situation

##### Special Districts Generally

Independent special districts are limited forms of government created to perform specialized functions. Special districts have no home rule power; rather, they only have the powers expressly provided by, or which can be reasonably implied from, the authority legislatively provided in their charter.

Chapter 189, F.S., is the "Uniform Special District Accountability Act" (Act). The Act provides that it is the specific intent of the Legislature that independent special districts may only be created by legislative authorization as provided in the Act.

Section 189.404(2), F.S., requires submission of a statement to the Legislature documenting the purpose of the proposed district, the authority of the proposed district, and an explanation of why the district is the best alternative. In addition, the section requires submission of a resolution or official statement issued by the appropriate local governing body in which the proposed district is located affirming that the creation of the proposed district is consistent with approved local government plans of the local governing body and that the local government has no objection to the creation of the proposed district.

Section 189.404(5), F.S., requires the charter of any newly created special district to contain a reference to the status of the special district as dependent or independent. The charters of independent districts must address and include certain provisions, including geographical boundaries, taxing authority, bond authority, and Board selection procedures. Section 189.404(2)(a), F.S., prohibits special laws which create independent districts that do not, at a minimum, conform to the minimum requirements in s. 189.404(3), F.S.

Section 189.404, F.S., also prohibits special acts creating independent special districts that are exempt from general law requirements regarding:

- General requirements and procedures for elections (s. 189.405, F.S.);
- Bond referenda requirements (s. 189.408, F.S.);
- Bond issuance reporting requirements (s. 189.4085, F.S.);
- Public facilities reports (s. 189.415, F.S.); and

<sup>1</sup> HB 971 s. 1(3)(a)(1) (2006).

- Notice, meetings, and other required reports and audits (ss. 189.417 & 189.418, F.S.).

In addition to these extensive requirements for local bills creating independent special districts, other criteria mandated by the Florida Constitution must be fulfilled including notice requirements applicable to all local bills.

## **Effect of Proposed Changes**

### Creation of Independent Special District in Broward County

HB 971 creates an independent special district for the purpose of providing funding for services for seniors in Broward County.

The bill includes definitions of "senior"<sup>2</sup> to clarify that the district provides a distinct type of service. The boundaries of the district must be coterminous with the boundaries of Broward County.

The bill authorizes the district to levy an ad valorem tax not to exceed .5 mill on taxable property within the district subject to referendum approval by voters of the district. The referendum required to approve the ad valorem tax levy must be held in conjunction with the primary election held on September 5, 2006.

The bill is effective upon its approval by a majority vote of those qualified electors of Broward County voting in a referendum.

### Governing Board Members and Elections

The governing board of the district is the "Broward County Council for Services for Seniors" (council). The council must consist of 11 members:

- the executive director of the area agency on aging of Broward County, or his or her designee who is a director of senior programs, as a permanent position;
- the Broward County Director of Human Services or his or her designee who is a director of elderly services, as a permanent position;
- one member of the Broward County Board of County Commissioners for a 2-year term;
- two nonvoting members of the Broward County legislative delegation appointed by the delegation chair for a 2-year term;
- two representatives of the Broward League of Cities for a 2-year term; and
- four members appointed by the Governor for 4-year terms, initially staggered, with reappointment for one additional term permitted, and meeting these additional qualifications –
  - these members must, to the greatest extent possible, represent the cultural diversity of Broward County's population;
  - one of these members must be a caretaker for a senior and 60 years of age or older;
  - these members must have been residents of Broward County for the previous 24-month period; and
  - the County must provide three recommended names for each vacancy, determined by category, and the Governor must make a selection within a 45-day period or request a new list of candidates.

The Governor may remove a member for cause or upon the written petition of the Broward County Board of County Commissioners. If any of the members of the council required to be appointed by the Governor resign, die, or are removed from office, the vacancy is filled by appointment by the Governor, using the same method as the original appointment, and such appointment to fill a vacancy shall be for the unexpired term of the person who resigns, dies, or is removed from office.

<sup>2</sup> "Senior" means a person who is at least 60 years of age. HB 971 at lines 58-59.

Members of the council shall serve without compensation, but are entitled to receive reimbursement for per diem and travel expenses consistent with s. 112.061, F.S.

### General Powers

The district council is given a number of permissive powers:

1. provide and maintain in the county such preventive, developmental, treatment, and rehabilitative services for seniors as the council determines are needed for their general welfare;
2. provide any other services as the council determines are needed for the general welfare of the county's seniors;
3. allocate and provide funds for other agencies in the county which are operated for the benefit of seniors;
4. collect information and statistical data and conduct research that will be helpful to the council and the county in deciding the needs of the county's seniors;
5. consult and coordinate with other agencies serving seniors to prevent overlapping of services;
6. seek grants from state, federal, and local agencies and accept donations from public and private sources;
7. lease or buy real estate, equipment, and personal property and construct buildings as needed to execute district powers and functions; such purchases must be paid for with cash on hand or secured by funds deposited in financial institutions; grant no authority to issue bonds; and
8. employ, pay, and provide benefits for required district personnel.

### District Duties

The district council is also charged with a number of duties:

1. elect a chair and a vice chair from among its members, and elect other officers as deemed necessary by the council;
2. identify and assess the needs of the county's seniors and submit to the Broward County Commissioners a written description of:
  - the activities, services, and opportunities that will be provided to seniors;
  - the anticipated schedule for providing those activities, services, and opportunities;
  - the manner in which seniors will be served, including a description of arrangements and agreements which will be made with community organizations, state and local educational agencies, federal agencies, public assistance agencies, the court system, guardianship groups, and other applicable public and private agencies and organizations;
  - the special outreach efforts that will be undertaken to provide services to at-risk, abused, or neglected and ailing seniors;
  - the manner in which the council will seek and provide funding for unmet needs; and
  - the strategy that will be used for interagency coordination to maximize existing human and fiscal resources;
3. provide training and orientation to all new council members;
4. make and adopt bylaws and rules, not inconsistent with federal or state laws or county ordinances, for the council's operation; and
5. provide an annual written report, due January 1 of each year, to the Broward County Commissioners, which includes:
  - information on the effectiveness of activities, services, and programs offered by the council, including cost-effectiveness;
  - a detailed anticipated continuation budget and a list of all sources of requested funding, both public and private;
  - procedures used for early identification of at-risk seniors who need additional or continued services and methods for ensuring receipt of those services;



- a description of the degree to which the council's objectives and activities are consistent with the goals of this section;
- detailed information of the various programs, services, and activities available to, and the degree to which they have been successfully used by seniors; and
- information on those programs, services, and activities that should be eliminated, those which should be continued, and those that should be added to the basic format of the council.

The council must also maintain minutes of each meeting, including a record of all votes cast, and make them available to any interested person.

### Fiscal Matters and Millage Rates

The bill provides a number of financial and budgeting parameters for the districts:

- The fiscal year of the district is the same as that of Broward County.
- The council must prepare a tentative annual written budget of the district's expected income and expenditures, including a contingency fund.
- The council must also compute a proposed millage rate within the voter-approved cap necessary to fund the tentative budget and comply with the provisions of s. 200.065, F.S., relating to the method of fixing millage, and fix the final millage rate by resolution of the council.
- The adopted budget and final millage rate are then certified and delivered to the Broward County Commissioners within 15 days following the adoption by the council of the final budget and millage rate pursuant to ch. 200, F.S. The millage rate, adopted by resolution of the council, necessary to be applied to raise the funds budgeted for district operations and expenditures must be included in each certified budget.
- The millage rate may not exceed 0.5 mills of assessed valuation of all properties subject to ad valorem county taxes within Broward County.
- After the district budget is certified and delivered to the Broward County Commissioners, it may not be changed or modified by the Broward County Commissioners or any other authority.
- All taxes collected under this section shall be paid directly to the council by the Broward County Revenue Collection Division.
- All moneys received by the council must be deposited in qualified public depositories, as defined in s. 280.02, F.S., with separate and distinguishable accounts established specifically for the council and may only be withdrawn by checks signed by the council chair and countersigned by one other member of the council or by a chief executive officer authorized by the council.
- The chair and the other member of the council or chief executive officer who signs its checks must each file a surety bond in the sum of at least \$1,000 for each \$1 million or portion thereof of the council's annual budget, which bond shall be conditioned that each shall faithfully discharge the duties of his or her office. The premium on such bond may be paid by the district as part of the expenses of the council. No other council members have to give bond or other security.
- District funds may only be expended by check, except expenditures from a petty cash account not exceeding \$100. All expenditures from petty cash must be recorded. Council funds other than petty cash may not be spent unless first budgeted for and approved by the council.
- The district must timely prepare and file a quarterly financial report which includes: for the quarter --- total council expenditures and receipts; a statement of the funds on hand, invested, or deposited; and total council administrative costs.
- After or during the first year of operation of the council, the Broward County Commissioners, at its option, may fund in whole or in part the council budget from its own funds.

### District Compliance with Other Statutory Requirements

The bill requires that the district created under this act must comply with all other statutory requirements of general application which relate to the filing of any financial reports or compliance reports required under part III of ch. 218, F.S., or any other report or documentation required by law, including the reporting requirements of ss. 189.415, 189.417, and 189.418, F.S.

### Referendum

The bill takes effect upon approval by a majority vote of those qualified electors of Broward County voting in a referendum to be conducted by the Broward County Supervisor of Elections in conjunction with the next primary election held on September 5, 2006, in accordance with the provisions of law relating to elections currently in force. The bill also provides a ballot statement.

#### C. SECTION DIRECTORY:

Section 1: Provides for the creation, governing body, powers, duties, and functions of an independent special district to provide funding for services for seniors in Broward County.

Section 2: Provides for a referendum.

Section 3: Provides that the act shall take effect upon becoming a law, except for otherwise provided.

### **II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS**

A. NOTICE PUBLISHED? Yes ☒ No ☐

IF YES, WHEN? December 31, 2005

WHERE? *Sun-Sentinel*, Fort Lauderdale, Broward County, Boca Raton, Palm Beach County, and Miami, Miami Dade County, Florida.

B. REFERENDUM(S) REQUIRED? Yes ☒ No ☐

IF YES, WHEN? September 5, 2006

C. LOCAL BILL CERTIFICATION FILED? Yes, attached ☒ No ☐

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached ☒ No ☐

### **III. COMMENTS**

#### A. CONSTITUTIONAL ISSUES:

Section 189.404(2)(e), F.S., provides as follows:

(2) SPECIAL ACTS PROHIBITED.--Pursuant to s. 11(a)(21), Art. III of the State Constitution, the Legislature hereby prohibits special laws or general laws of local application which:

(e) Create an independent special district for which a statement has not been submitted to the Legislature that documents the following:

1. The purpose of the proposed district;
2. The authority of the proposed district;
3. An explanation of why the district is the best alternative; and
4. A resolution or official statement of the governing body or an appropriate administrator of the local jurisdiction within which the proposed district is located stating that the creation of the proposed district is consistent with the approved local government plans of the local governing body and that the local government has no objection to the creation of the proposed district.

By letter to the Honorable Allan Bense, Speaker of the House of Representatives, Mr. Ben Graber, Mayor and Commissioner of District 3, Broward County, stated in part, "[T]he Broward County Board of County Commissioners is in support of the legislation. This local option legislation has been included in the Commission's Legislative Program for the 2006 Legislative Session." Mr. Graber states that "one of the fastest growing populations in Broward are elders 85 years of age and older. As our population continues to live longer and wants to 'age in place,' greater levels of service delivery are required in order to accommodate multiple needs. We feel strongly that the voters should be given the choice to provide for a dedicated funding source that will enhance services in our local communities."

**B. RULE-MAKING AUTHORITY:**

This bill requires the district council to make and adopt bylaws and rules, not inconsistent with federal or state laws or county ordinances, for the council's guidance, operation, governance, and maintenance.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

Fiscal Comments

According to the Economic Impact Statement, it is estimated that the Broward County Council for Services for Seniors will be eligible to receive approximately \$4,000,000 in federal and foundation grants, for each year following the implementation of the funding.

Other Comments

HB 1501 (2005 Legislative Session), relating to Broward County, creating the Broward Council for Services to Seniors and Adults with Developmental Disabilities, died in the House Finance & Tax on 05/06/2005.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**

None.

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1                               A bill to be entitled  
2       An act relating to Broward County; creating the Broward  
3       County Council for Services for Seniors; creating an  
4       independent special district to provide funding for  
5       services for seniors; requiring approval by a majority  
6       vote of electors to annually levy ad valorem taxes not to  
7       exceed a certain maximum; creating a governing board for  
8       the district; specifying criteria for membership of the  
9       governing board; providing terms of office; specifying the  
10      powers and functions of the council; requiring the council  
11      to elect a chair, vice chair, and officers, to identify  
12      and assess the needs of seniors, to provide training and  
13      orientation to new members of the council, to make and  
14      adopt bylaws and rules for the council's operation and  
15      governance, and to provide an annual report to the Broward  
16      County Board of County Commissioners; requiring the  
17      council to maintain minutes of each meeting and to serve  
18      without compensation; requiring the council to prepare a  
19      tentative annual budget and to compute a millage rate to  
20      fund the tentative budget; requiring that all tax moneys  
21      collected be paid directly to the council by the Broward  
22      County Tax Collector and deposited in qualified public  
23      depositories; specifying expenditures of funds; requiring  
24      the council to prepare and file a financial report to the  
25      Broward County Board of County Commissioners; providing  
26      that the district may be amended or dissolved by a special  
27      act of the Legislature; authorizing the Broward County  
28      Board of County Commissioners to fund the budget of the

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council from its own funds after or during the council's first year of operation; requiring the district to comply with statutory requirements related to the filing of a financial or compliance report; authorizing the district to seek grants and accept donations from public and private sources; providing legislative intent with respect to the use of funds collected by the council; requiring a referendum; providing a ballot statement; providing an effective date.

WHEREAS, the Legislature has determined that it would serve the public interest to establish an independent special district to provide services to seniors within Broward County, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. Services for seniors; independent special district; council; powers, duties, and functions.--

(1) There is hereby created an independent special district, as defined in sections 189.403 and 200.001, Florida Statutes, to provide funding for services for seniors throughout Broward County in accordance with this act. The boundaries of such district shall be coterminous with the boundaries of Broward County. The district created pursuant to this act shall levy and fix millage as provided in section 200.065, Florida Statutes. Once the millage is approved by the electorate, the district is not required to seek approval of the electorate in

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future years to levy the previously approved millage. For purposes of this section, the term "senior" means a person who is at least 60 years of age.

(2) The governing board of the district shall be the Broward County Council for Services for Seniors. The council shall consist of 11 members, including the Executive Director of the Area Agency on Aging of Broward County or his or her designee who is a director of senior programs; the Broward County Director of Human Services or his or her designee who is a director of senior services; one member of the Broward County Board of County Commissioners; two nonvoting members of the Broward County Legislative Delegation appointed by the delegation chair; and two representatives of the Broward League of Cities appointed by the President of the League of Cities. The Executive Director of the Area Agency on Aging of Broward County or his or her designee and the Broward County Director of Human Services or his or her designee are permanent positions. The members appointed from the Broward County Board of County Commissioners, the Broward County Legislative Delegation, and the Broward League of Cities shall be appointed to 2-year terms each. The other four members shall be appointed by the Governor and shall represent, to the greatest extent possible, the cultural diversity of Broward County's population. At least one of the gubernatorial appointees must be an individual who is both a caretaker for a senior and 60 years of age or older. Recommendations for these members shall be provided by the Broward County Board of County Commissioners. Three names shall be submitted for each vacancy, determined by category. The

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gubernatorial appointees shall be appointed to 4-year terms and may be reappointed for one additional term of office. The Governor shall make a selection within a 45-day period or request a new list of candidates. All members appointed by the Governor must have been residents of Broward County for the previous 24 months. The length of the terms of the initial appointees shall be adjusted to stagger the terms. The Governor may remove a member for cause or upon the written petition of the Broward County Board of County Commissioners. If any of the members of the council appointed by the Governor resign, die, or are removed from office, the vacancy shall be filled by appointment by the Governor using the same method as the original appointment, and such appointment to fill a vacancy shall be for the unexpired term of the member who resigns, dies, or is removed from office.

(3)(a) The Broward County Council for Services for Seniors may:

1. Provide and maintain in the county the preventive, developmental, treatment, and rehabilitative services for seniors the council determines are needed for the general welfare of seniors.
2. Provide any other services the council determines are needed for the general welfare of seniors in the county.
3. Allocate and provide funds for other agencies in the county that are operated for the benefit of seniors.
4. Collect information and statistical data and conduct research and assessments that will be helpful to the council and the county in deciding the needs of seniors in the county.

113        5. Consult and coordinate with other agencies dedicated to  
 114 the welfare of seniors to the end that the overlapping of  
 115 services will be prevented.

116        6. Seek grants from state, federal, and local agencies and  
 117 accept donations from public and private sources.

118        7. Lease or buy real estate, equipment, and personal  
 119 property and construct buildings as needed to execute the  
 120 foregoing powers and functions, except that such purchases or  
 121 construction may only be paid for with cash on hand or secured  
 122 by funds deposited in financial institutions. This subparagraph  
 123 does not authorize the district to issue bonds of any nature,  
 124 and the district does not have the power to require the  
 125 imposition of any bond by the governing body of the county.

126        8. Employ, pay, and provide benefits for any part-time or  
 127 full-time personnel needed to execute the foregoing powers and  
 128 functions.

129        (b) The Broward County Council for Services for Seniors  
 130 shall:

131        1. Immediately after the members are appointed, elect a  
 132 chair and vice chair from among its members and elect other  
 133 officers as deemed necessary by the council.

134        2. As soon as possible after the members are appointed and  
 135 officers are elected, identify and assess the needs of seniors  
 136 in the county and submit to the Broward County Board of County  
 137 Commissioners a written description of:

138        a. The activities, services, and opportunities that will  
 139 be provided to seniors.

140        b. The anticipated schedule for providing those



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activities, services, and opportunities.

c. The manner in which seniors will be served, including a description of arrangements and agreements that will be made with community organizations, state and local agencies, federal agencies, public assistance agencies, the court system, guardianship groups, and other applicable public and private agencies and organizations.

d. The special outreach efforts that will be undertaken to provide services to at-risk, abused, or neglected and ailing seniors.

e. The manner in which the council will seek and provide funding for unmet needs.

f. The strategy that will be used for interagency coordination to maximize existing human and fiscal resources.

3. Provide training and orientation to all new members sufficient to allow them to perform their duties.

4. Make and adopt bylaws and rules for the council's guidance, operation, governance, and maintenance not inconsistent with federal or state laws or county ordinances.

5. Provide an annual written report, to be presented no later than January 1, to the Broward County Board of County Commissioners. The annual report must contain, but need not be limited to:

a. Information on the effectiveness of activities, services, and programs offered by the council, including cost-effectiveness.

b. A detailed anticipated budget for continuation of activities, services, and programs offered by the council and a

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list of all sources of requested funding, both public and private.

c. Procedures used for early identification of at-risk seniors who need additional or continued services and methods for ensuring that the additional or continued services are provided.

d. A description of the degree to which the council's objectives and activities are consistent with the goals of this section.

e. Detailed data on the various programs, services, and activities available to seniors.

f. Information on programs, services, and activities that should be eliminated; programs, services, and activities that should be continued; and programs, services, and activities that should be added to the basic format of the council.

(c) The council shall maintain minutes of each meeting, including a record of all votes cast, and shall make such minutes available to any interested person.

(d) Members of the council shall serve without compensation but are entitled to receive reimbursement for per diem and travel expenses consistent with section 112.061, Florida Statutes.

(4)(a) The district shall maintain the same fiscal year as Broward County.

(b) On or before July 1 of each year, the council shall prepare a tentative annual written budget of the district's expected income and expenditures, including a contingency fund. The council shall, in addition, compute a proposed millage rate

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within the voter-approved cap necessary to fund the tentative budget and, prior to adopting a final budget, comply with section 200.065, Florida Statutes, relating to the method of fixing millage, and fix the final millage rate by resolution of the council. The adopted budget and final millage rate must be certified and delivered to the Broward County Board of County Commissioners within 15 days following the council's adoption of the final budget and millage rate under chapter 200, Florida Statutes. Included in each certified budget shall be the millage rate, adopted by resolution of the council, necessary to be applied to raise the funds budgeted for district operations and expenditures. District millage may not exceed 0.5 mills of assessed valuation of all properties within Broward County that are subject to ad valorem county taxes.

(c) After the budget of the district is certified and delivered to the Broward County Board of County Commissioners, the budget may not be changed or modified by the Broward County Board of County Commissioners or any other authority.

(d) All taxes collected under this section, as soon after collection as is reasonably practicable, shall be paid directly to the council by the Broward County Revenue Collection Division.

1. All moneys received by the council shall be deposited in qualified public depositories, as defined in section 280.02, Florida Statutes, with separate and distinguishable accounts established specifically for the council and may be withdrawn only by checks signed by the chair of the council and countersigned by one other member of the council or by a chief

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executive officer authorized by the council.

2. Upon entering the duties of office, the chair and the other member of the council or chief executive officer who signs its checks shall each file a surety bond in the sum of at least \$1,000 for each \$1 million or portion thereof of the council's annual budget, which bond shall be conditioned upon the faithful discharge of the duties of his or her office. The premium on such bond may be paid by the district as part of the expenses of the council. Other members of the council may not be required to give bond or other security.

3. Funds of the district may only be expended by check, except expenditures from a petty cash account, which account may not at any time exceed \$100. All expenditures from petty cash must be recorded on the books and records of the council. Funds of the council, except expenditures from petty cash, may not be expended without prior approval of the council, in addition to the budgeting thereof.

(e) Within 10 days, exclusive of weekends and legal holidays, after the expiration of each quarter-annual period, the council shall prepare and file with the Broward County Board of County Commissioners a financial report that includes:

1. The total expenditures of the council for the quarter-annual period.

2. The total receipts of the council during the quarter-annual period.

3. A statement of the funds the council has on hand, has invested, or has deposited with qualified public depositories at the end of the quarter-annual period.

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4. The total administrative costs of the council for the quarter-annual period.

(5) The district created under this act may be amended or dissolved by a special act of the Legislature.

(6) After or during the first year of operation of the council, the Broward County Board of County Commissioners, at its option, may fund in whole or in part the budget of the council from its own funds.

(7) The district created under this act shall comply with all other statutory requirements of general application that relate to the filing of any financial reports or compliancy reports required under part III of chapter 218, Florida Statutes, or any other report or documentation required by law, including the requirements of sections 189.415, 189.417, and 189.418, Florida Statutes.

Section 2. Referendum.--The Broward County Board of County Commissioners is directed to call and the Supervisor of Elections of Broward County shall conduct a special referendum election to be held in conjunction with the primary election held on September 5, 2006, to carry out the purposes and intent of this act and to do all things necessary to implement and fund the Broward County Council for Services for Seniors and the independent special district created hereby in accordance with the terms of this act and the laws pertaining to elections. The item shall appear on the ballot as follows:

Creating the Council for Services for Seniors and authorization of taxation

HB 971

2006

281  
282 An independent special district known as the "Broward County  
283 Council for Services for Seniors" is created to fund the  
284 improvement and availability of services for seniors by levying  
285 each year an ad valorem tax not to exceed 0.5 mills for services  
286 for seniors.

287  
288 Yes \_\_\_\_\_

289 No \_\_\_\_\_

290  
291       Section 3. This act shall take effect only upon approval  
292 by a majority vote of those qualified electors of Broward County  
293 voting in a referendum election to be called by the Broward  
294 County Board of County Commissioners and held in conjunction  
295 with the primary election held on September 5, 2006, in  
296 accordance with the provisions of law relating to elections  
297 currently in force, except that this section and section 2  
298 shall take effect upon becoming a law.



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1623


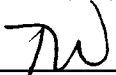
Persons with Disabilities

**SPONSOR(S):** Bean

**TIED BILLS:**

**IDEN./SIM. BILLS:** SB 1278

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Elder & Long-Term Care Committee		DePalma 	Walsh 
2) Fiscal Council			
3) Health & Families Council			
4) _____			
5) _____			

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### SUMMARY ANALYSIS

HB 1623 creates the Interagency Services Committee for Persons with Disabilities, and directs the committee to develop and implement a coordinated, multidisciplinary, and interagency intervention service system for youths with disabilities between three and thirty years of age.

The bill specifies committee membership, and directs the Department of Children and Family Services, the Department of Education, the Department of Health, and the Agency for Persons with Disabilities to provide staff support to the committee. The bill also provides duties and responsibilities of the committee.

The bill provides an effective date of July 1, 2006.



## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Empower Families** – The bill is intended to eliminate barriers to educational opportunities, and to enhance educational opportunities leading to future employment, for individuals with disabilities between the ages of 3 and 30.

#### B. EFFECT OF PROPOSED CHANGES:

##### BACKGROUND<sup>1</sup>

Children with disabilities face significant obstacles as they transition out of traditional educational and service arrangements. According to the National Organization on Disability's Harris Survey of Americans with Disabilities:

- young people with disabilities drop out of high school at twice the rate of their peers;
- as many as 90 percent of children with disabilities are living at poverty level three years after graduation;
- 80 percent of people with significant disabilities are not working; and
- currently, only one out of ten persons with a developmental disability will achieve integrated, competitive employment, and most will earn less than \$2.40 an hour in a sheltered workshop.<sup>2</sup>

Florida-specific data also reveals disparities in graduation rates and employment opportunities for youths with disabilities. As reported by the Florida Department of Education's Data Warehouse, the graduation rate in 2003-04 for students with disabilities was only 36.6% (8,376 out of a total 22,890 disabled students graduated), while 68.6% of other, non-disabled students graduated (117,706 out of a total of 171,447 students). Moreover, a mere 12 percent of students with disabilities were enrolled in postsecondary programs,<sup>3</sup> and only 17.5 percent of students with developmental disabilities were employed after leaving secondary schools, with average quarterly earnings of approximately \$3,700.

The Individuals with Disabilities Education Act (IDEA) requires that schools provide a free and appropriate education (FAPE) to all students who have not reached age 22 and have not earned a regular high school diploma. A student who graduates with a credential other than a standard diploma, and who chooses to continue to receive FAPE, can continue to generate funding through the Florida Education Financing Program (FEFP) until receiving a standard diploma or "aging out". A student with disabilities ages out when he or she reaches age 22 or completes the school year in which they turn 22. In December 2004 there were 364,877 students ages six to 21 served under IDEA, Part B, representing approximately 15 percent of total public school students.<sup>4</sup>

The transition to adulthood is a difficult process for all adolescents, but such transition presents additional challenges for young people with disabilities. Various transition services and supports are necessary to assist adolescents in adjusting to the change from the home and school environment to independent living and meaningful employment. Students with disabilities often face this process ill-equipped for further vocational training, post secondary education, or securing gainful employment. According to APD, some of the barriers to a smooth transition include:

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<sup>1</sup> A substantial portion of this analysis is patterned after the Senate Staff Analysis to identical Senate Bill 1278, prepared by the Senate Committee on Children and Families.

<sup>2</sup> The 2004 National Organization on Disability/Harris Survey of Americans with Disabilities, [www.nod.org](http://www.nod.org)

<sup>3</sup> According to 2002 Florida Education and Training Placement Information Program (FETPIP) surveys, as reported by Florida Developmental Disabilities Council, Inc.

<sup>4</sup> Florida Department of Education, Bureau of Exceptional Education and Student Services, <http://www.firn.edu/doef>

- students leaving school are often placed on a waitlist for adult services, and may not be able to keep a job they had previously obtained in school because of a lack of transitional supports as adults. Medicaid waiver rules require students to return to school for services until age 22 if they have a special education diploma;
- youths with disabilities and their families often are unprepared for the transition from an entitlement program (such as a free and appropriate education) to an adult service system;
- priorities and expectations in the systems serving children and youths with disabilities are very different than the structure of the service and support system for adults, which is primarily focused on community integration;
- commitment to the philosophy of self-determination and choice varies across agencies; in some programs self-determination is the cornerstone of the supports, while other agencies provide fewer choices in services and supports;
- eligibility for services and supports vary by agency, and often support staff and families may be unaware of services for which they are eligible because planning processes are frequently not coordinated;
- Social Security benefits often create a disincentive to work. Individuals on Social Security Disability Income (SSDI) who require supports and health benefits to obtain a job lose eligibility for those services if they make over \$850, thus losing the benefits that enable them to obtain and keep meaningful employment; and
- agencies may have different criteria for providers of the same service. For example, supported employment services can be offered by either not-for-profit or for-profit providers through APD, however, the Division of Vocational Rehabilitation (DOE) requires that such providers be not-for-profit.

Although there are a variety of federal and state programs and agencies with some involvement in meeting the educational and vocational needs of children and adolescents with disabilities, successfully integrating these efforts has proven difficult. Recently, there have been several statewide initiatives focused on helping to identify challenges faced by young adults with disabilities as they transition from high school to adult life, and developing strategies to create an effective transition system. The state agencies involved in these interagency activities include Agency for Persons with Disabilities, the Department of Education, the Department of Children and Families, the Department of Health, the Agency for Health Care Administration, and the Department of Juvenile Justice. A variety of private organizations and individuals have also been involved in these activities, including the Able Trust, the Advocacy Center for Persons with Disabilities, Inc., the ADA Working Group, Center for Autism and Related Disabilities at the University of South Florida, Family Network on Disabilities of Florida, Inc., the Florida Developmental Disabilities Council, Inc., the Florida Independent Living Council, Inc., the Florida Institute for Family Involvement, the Florida Recreation and Parks Association, the Florida Rehabilitation Council, the Florida Schools Health Association, the Transition Center at the University of Florida, the Transition to Independence Process Project, Workforce Florida, Inc., parents, self-advocates, and teachers from throughout the state.<sup>5</sup>

### **Florida's Partners in Transition**

In 2003, a partnership of agencies was formed under the auspices of the Florida Developmental Disabilities Council (FDDC) to identify issues and barriers faced by Florida's disabled youth as they transition from high school to adulthood. The partnership contracted with national experts to examine existing research and documents on transition, and held three public forums. As a result, a workgroup of 40 individuals was put together in March, 2003 to review the findings and draft a statewide strategic plan for transition. In September, 2003 a team of Florida representatives attended the National Leadership Summit on Improving Results, which provided additional impetus for developing interagency partnerships for transition planning. Since that time, Florida's Partners in Transition has developed the Florida Strategic Plan on Transition, defining how state agencies, organizations, families, youth, and government programs can work together to reach young Floridians with disabilities in an attempt to support their transition to independence through education, meaningful work and a life in the

<sup>5</sup>Florida Partners in Transition, <http://partnersintransition.org/members.htm>

community. A statewide summit was hosted on January 25-26, 2005, for the purpose of providing an opportunity for local level leadership teams to be introduced to the Partners in Transition State Strategic Plan, to host facilitated planning sessions for the implementation of the strategic plan within their areas, and to hear from state and national experts on research-based practices in transition from school to adult life.

The 2006 Summit is scheduled for April 2006 and this year's objectives will be to enhance local level, cross-disciplinary leadership teams' efforts to achieve post-school results for students with disabilities, to develop goals and action steps for local implementation of the Statewide Strategic Plan, and to identify technical assistance needs of Leadership Teams.<sup>6</sup>

### **Blue Ribbon Task Force (BRTF) on Inclusive Community Living, Transition, and Employment of Individuals with Disabilities**

In 2004, the Governor issued Executive Order 04-62, establishing the Florida Blue Ribbon Task Force on Inclusive Community Living, Transition, and Employment of Persons with Developmental Disabilities. The BRTF was charged with evaluating systems, programs, projects, and activities to determine consistency with Federal law, including the Americans with Disabilities Act and the Developmental Disabilities Assistance Act, Individuals with Disabilities Education Act, No Child Left Behind, Rehabilitation Act of 1973, and Bill of Rights for People with Developmental Disabilities.<sup>7</sup> The Governor directed the BRTF to concentrate on implementing strategies that result in improved inclusive community living options, transition outcomes, and employment for people with developmental disabilities so that they may achieve full integration and inclusion in society, in a manner that is consistent with the strengths, resources, and capabilities of each individual.

The BRTF issued a final report in December 2004 with four key recommendations intended to "achieve a system that aligns resources and eliminates barriers to effective transition, integrated employment, and inclusive community living and addresses priority needs of people with developmental disabilities."<sup>8</sup> These recommendations included:

- developing a cost effective, coordinated, comprehensive system of supports and services (accomplished through a BRTF working group);
- developing a transition plan that ensures transition outcome measures, a statewide assessment system that measures year to year progress, an incentive system to reward schools for students achieving employment, and an enhanced data system;
- allocation of a portion of federal Workforce Investment Act state set-aside funds for competitive, integrated employment; and
- an increase in funding to expand the number of persons served by the Home and Community Based Services waiver, and the Family and Supported Living waiver administered by APD.

### **The Blue Ribbon Task Force Implementation Working Group**

The Blue Ribbon Task Force Implementation Working Group (BIWG) was established to support the planning and actions necessary to assure that the BRTF recommendations were achieved. In July, 2005 Florida was selected as one of six states participating in the National Governors' Association (NGA) Policy Academy on Improving Outcomes for Young Adults with Disabilities. Most of the Core Team members of the NGA Policy Academy were also members of the BIWG. Each participating state is required to determine and develop the most effective strategies for itself, given its specific challenges and opportunities and will:

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<sup>6</sup> Florida Developmental Disabilities Council, Florida's Transition Plans Comparison Chart (DRAFT), February 9, 2006.

<sup>7</sup> Florida Blue Ribbon Task Force (BRTF) on Inclusive Community Living, Transition, and Employment of Persons with Developmental Disabilities, Final Report, December 15, 2004.

<sup>8</sup> Ibid, page 6.

- develop clear goals and realistic strategies for making both tangible short-term progress and key first steps toward broader system change;
- design a governance structure that drives implementation of innovative strategies and ensures coordination across all relevant agencies;
- undertake service integration and coordination such as mapping delivery systems, integrating case management, coordinating funds, and implementing effective memoranda of understanding among agencies; and
- develop cross-system outcomes and performance measures for the targeted population, including strategic data collection and analysis techniques in order to determine what strategies are successful and where change is required.<sup>9</sup>

According to the FDDC, “[g]iven the similarities in the goals and focus of the two initiatives and need to maximize the efforts of the mutual serving member agencies and organizations, the NGA Policy Academy was merged with the BIWG initiative to focus the first phase of the BIWG implementation efforts on the transition related recommendations in the Blue Ribbon Task Force final report.” The Core Team members, agencies and organizations on the BIWG have developed Implementation Plans for each agency and organization, establishing measures of success, objectives, action steps, responsible parties, timelines, and resources or partners needed for success.

Phase II of the BIWG/NGA initiative will address Inclusive Community Living recommendations, as well as other Phase I recommendations, with a continued focus on strengthening cross-agency collaborations among the domains of housing, transportation, health, assistive technology, education, employment, community integration, and consumer advocacy.

### **Creation of a Committee or Task Force**

Section 20.03 (8), F.S., states that a "Committee" or "task force" refers to an advisory body created without specific statutory enactment for a time not to exceed one year, or created by specific statutory enactment for a time not to exceed three years, and appointed to study a specific problem and recommend a solution or policy alternative with respect to that problem. Its existence terminates upon the completion of its assignment.

### **EFFECT OF PROPOSED CHANGES**

The bill creates the Interagency Services Committee for Persons with Disabilities, intended to develop and implement a coordinated, multidisciplinary, and interagency intervention service system for youth with disabilities who are between three years and 30 years of age. The service system is designed to eliminate barriers to educational opportunities and enhance educational opportunities that will lead to future employment of these youths.

The bill requires that the committee consist of state agency heads of those agencies involved in providing educational, social, and employment support services, including the Commissioner of Education, the director of the Agency for Persons with Disabilities, the director of the Division of Vocational Rehabilitation, the Secretary of Health Care Administration, the Secretary of Health, the Secretary of Children and Family Services, the director of Workforce Florida, Inc., the director of the Division of Blind Services, the director of the Commission for the Transportation Disadvantaged, the director of the Florida Housing Finance Corporation, and the director of Individuals in Supported Employment within the Division of Vocational Rehabilitation. The chairperson of the committee will be designated by the members, and meetings and records of the committee are subject to s. 119.07 and s. 286.011, F.S., the open records and open meetings laws.

The bill requires that DCF, DOE, DOH, and APD provide staff and administrative support to the committee, and the chairperson is to designate one of the agencies to perform “administrative

<sup>9</sup> Florida Developmental Disabilities Council, Florida’s Transition Plans Comparison Chart (DRAFT), February 9, 2006.

responsibilities" for the committee. The committee is authorized to invite technical experts or other experts to their meetings, and to reimburse them for travel and per diem.

Committee members are to serve without compensation but are entitled to reimbursement for travel and per diem, as provided in s. 112.061, F.S. Public officers and employees are to be reimbursed through the budget entity from which their salary is paid.

The bill requires that the committee shall:

- identify and assist in removing federal and state barriers to the local coordination of services that are provided to persons with disabilities;
- identify adequate, equitable, and flexible funding sources in order to streamline services that are provided to persons with disabilities;
- develop guidelines for implementing policies to ensure a comprehensive and coordinated system for all services provided by state and local agencies, including multidisciplinary assessment practices for persons with disabilities;
- develop an evaluation process to measure the success of state and local interagency efforts in improving the quality and coordination of services that are provided to persons with disabilities;
- identify current systems for dispute resolution and recommend guidelines to coordinate the systems;
- encourage each governmental agency, school district, university, and community college to review employment policies for the purpose of identifying jobs and tasks that can be accomplished by individuals with disabilities and to develop job classifications that identify preferred employment for persons with disabilities;
- identify and eliminate state-imposed work disincentives;
- eliminate barriers that impede options for living within a community;
- assist in the revision of special competencies for earning a high school diploma and course requirements necessary for employment-related competencies;
- ensure that employment goals are a primary objective of each support plan;
- develop incentives or preferences in the state procurement process for businesses that employ persons with disabilities;
- develop collaborative relationships with federal, state, and local agencies in order to identify and align resources and eliminate barriers for expanding and improving inclusive options for living within a community;
- coordinate transition services statewide for students with disabilities as they prepare to leave secondary schools and access postsecondary institutions for training and subsequent employment;
- develop an incentive system that rewards secondary and postsecondary schools that place young persons with disabilities into competitive employment; and
- ensure that data systems transfer data between agencies and that each agency reports annually on its efforts to employ persons with disabilities.

The committee must present a report of its findings and recommendations on these issues to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2007, and is abolished on June 1, 2007.

The bill has an effective date of July 1, 2006.

#### C. SECTION DIRECTORY:

**Section 1.** Creates the Interagency Services Committee for Persons with Disabilities.

**Section 2.** Provides an effective date of July 1, 2006.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

Costs will include travel and per diem expenses for committee members and persons invited to attend and participate in the committee meetings, and administrative support costs, and staff time. Travel and per diem costs should be minimal unless the committee conducts meetings outside Tallahassee.

Since the committee will select the chairperson who will then designate the agency to provide administrative support, the costs to each of the agencies named cannot be determined.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None.

### **D. FISCAL COMMENTS:**

None.

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

#### **1. Applicability of Municipality/County Mandates Provision:**

The bill does not require counties or municipalities to take an action requiring the expenditure of funds, does not reduce authority that counties or municipalities have to raise revenue in the aggregate, and does not reduce the percentage of state tax shared with counties or municipalities.

#### **2. Other:**

None.

### **B. RULE-MAKING AUTHORITY:**

None.

### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

This bill creates a committee that is not attached to any executive branch agency. Without assignment to an agency, it is unclear as to how the administrative support costs, travel and per diem will be paid.

Given the scope of activities this committee is directed to accomplish, it is unlikely that meaningful change could be accomplished by the date the committee is to be abolished.

#### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**

## Amendment No. (for drafter's use only)

COUNCIL/COMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

**Amendment (with title amendment)**

Section 1. Interagency Services Committee for Youth and  
y Adults with Disabilities.--

(1) There is created within the Agency for Persons with Disabilities the Interagency Services Committee for Youth and Young Adults with Disabilities. It is the intent of the Legislature that the committee establish goals to ensure successful transition to employment or further education of youth and young adults with disabilities and to eliminate barriers that impede educational opportunities leading to future employment.

(2)(a) The committee shall consist of heads, or their  
designees, of the following agencies and bureaus or divisions of  
agencies: the Department of Education and, in that department,  
the Bureau of Exceptional Education and Student Services, the  
Division of Vocational Rehabilitation, the Division of Blind  
Services, the Division of Community Colleges, workforce  
education, and the office of interagency programs; the Agency



HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 for Persons with Disabilities; the Agency for Health Care  
24 Administration; the Division of Children's Medical Services  
25 Network in the Department of Health; children's mental health in  
26 the Department of Children and Family Services; the Department  
27 of Juvenile Justice; the Department of Corrections; the  
28 Commission for the Transportation Disadvantaged; and the Florida  
29 Housing Finance Corporation. Agency representatives must be at  
30 least at the bureau chief level. The committee shall invite  
31 representation from the following private and public parties:  
32 the Able Trust; the Business Leadership Network; the Florida  
33 Advocacy Center; the Governor's Americans with Disabilities Act  
34 Working Group; the Florida Association for Centers for  
35 Independent Living; an individual with a disability; and a  
36 parent or guardian of an individual with a disability. The  
37 members of the committee shall designate one of its members as  
38 chairperson.

39 (b) The Department of Children and Family Services, the  
40 Department of Education, the Department of Health, and the  
41 Agency for Persons with Disabilities shall provide staff support  
42 to the committee. Meetings and records of the committee are  
43 subject to ss. 119.07 and 286.011, Florida Statutes. The  
44 chairperson may designate one of the agencies providing staff  
45 support to perform administrative responsibilities for the  
46 committee.

47 (c) Committee members shall serve without compensation but  
48 are entitled to reimbursement for expenses incurred in carrying  
49 out their duties as provided in s. 112.061, Florida Statutes.  
50 Members who are public officers or employees shall be reimbursed  
51 through the budget entity through which they are compensated.  
52 Reimbursement for members who are not public officers or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53 employees shall alternate between the budget entities  
54 represented on the committee.

55 (3) The committee shall:

56 (a) Identify the roles and responsibilities of each agency  
57 with regard to the committee goals.

58 (b) Develop collaborative relationships to identify and  
59 assist in removing federal and state barriers to achieving the  
60 goals.

61 (c) Identify common or comparable performance measures for  
62 all agencies that serve youth and young adults with  
63 disabilities.

64 (d) Design a mechanism to annually assess the progress  
65 toward the goals by each agency.

66 (e) Collect and disseminate information on research-based  
67 practices of state and local agencies on successful strategies.

68 (f) Develop strategies to educate public and private  
69 employers on the benefit of hiring persons with disabilities.

70 (g) Develop strategies to encourage each public employer  
71 to hire persons with disabilities.

72 (h) Recommend a statewide system of accountability which  
73 would include incentives for persons with disabilities; service  
74 providers, including school districts, technical centers, and  
75 community colleges; and businesses and industries providing  
76 integrated competitive employment to individuals with  
77 disabilities.

78 (4) The committee shall present a report of its progress  
79 to the Governor, the President of the Senate, and the Speaker of  
80 the House of Representatives by March 1, 2007, and a final  
81 report on its findings and recommendations by January 1, 2008.  
82 The committee is abolished on June 1, 2008.

83 Section 2. This act shall take effect July 1, 2006.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

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===== T I T L E   A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to youth and young adults with disabilities;  
creating the Interagency Services Committee for Youth and Young  
Adults with Disabilities within the Agency for Persons with  
Disabilities; providing legislative intent; providing that the  
committee be staffed by member agencies of the committee;  
providing for the membership of the committee; providing duties  
and responsibilities for the committee; requiring the committee  
to submit a report to the Governor and the Legislature;  
providing an effective date.

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A bill to be entitled

An act relating to persons with disabilities; creating the Interagency Services Committee for Persons with Disabilities; providing legislative intent; providing that the committee be staffed by member agencies of the committee; providing for the membership of the committee; providing for per diem and travel expenses; providing duties and responsibilities for the committee; requiring the committee to submit a report to the Governor and the Legislature; providing for termination of the committee; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Interagency Services Committee for Persons with Disabilities.--

(1) There is created the Interagency Services Committee for Persons with Disabilities. It is the intent of the Legislature that the committee develop and implement a coordinated, multidisciplinary, and interagency intervention service system for young persons with disabilities. Specifically, the intervention service system is intended to eliminate barriers that impede educational opportunities and to enhance educational opportunities leading to future employment for persons with disabilities who are between the ages of 3 years and 30 years.

(2)(a) The committee shall consist of the following 11 members: the Commissioner of Education, the director of the

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2006

29 Agency for Persons with Disabilities, the director of the  
30 Division of Vocational Rehabilitation, the Secretary of Health  
31 Care Administration, the Secretary of Health, the Secretary of  
32 Children and Family Services, the director of Workforce Florida,  
33 Inc., the director of the Division of Blind Services, the  
34 director of the Commission for the Transportation Disadvantaged,  
35 the director of the Florida Housing Finance Corporation, and the  
36 director of Individuals in Supported Employment within the  
37 Division of Vocational Rehabilitation. The members of the  
38 committee shall designate one of its members as chairperson.

39 (b) The Department of Children and Family Services, the  
40 Department of Education, the Department of Health, and the  
41 Agency for Persons with Disabilities shall provide staff support  
42 to the committee. Meetings and records of the committee are  
43 subject to ss. 119.07 and 286.011, Florida Statutes. The  
44 chairperson may designate one of the agencies providing staff  
45 support to perform administrative responsibilities for the  
46 committee. The committee may invite technical experts to appear  
47 at meetings and provide information.

48 (c) Committee members shall serve without compensation but  
49 are entitled to reimbursement for expenses incurred in carrying  
50 out their duties as provided in s. 112.061, Florida Statutes.  
51 Members who are public officers or employees shall be reimbursed  
52 through the budget entity through which they are compensated.  
53 Persons invited to appear and speak at committee meetings are  
54 also entitled to receive per diem and travel expenses.

55 (3) The committee shall:

56 (a) Identify and assist in removing federal and state

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barriers to the local coordination of services that are provided to persons with disabilities.

(b) Identify adequate, equitable, and flexible funding sources in order to streamline services that are provided to persons with disabilities.

(c) Develop guidelines for implementing policies to ensure a comprehensive and coordinated system for all services provided by state and local agencies, including multidisciplinary assessment practices for persons with disabilities.

(d) Develop an evaluation process to measure the success of state and local interagency efforts in improving the quality and coordination of services that are provided to persons with disabilities.

(e) Identify current systems for dispute resolution and recommend guidelines to coordinate the systems.

(f) Encourage each governmental agency, school district, university, and community college to review employment policies for the purpose of identifying jobs and tasks that can be accomplished by individuals with disabilities and to develop job classifications that identify preferred employment for persons with disabilities.

(g) Identify and eliminate state-imposed work disincentives.

(h) Eliminate barriers that impede options for living within a community.

(i) Assist in the revision of special competencies for earning a high school diploma and course requirements necessary for employment-related competencies.

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(j) Ensure that employment goals are a primary objective of each support plan.

(k) Develop incentives or preferences in the state procurement process for businesses that employ persons with disabilities.

(l) Develop collaborative relationships with federal, state, and local agencies in order to identify and align resources for and eliminate barriers to expanding and improving inclusive options for living within a community.

(m) Coordinate transition services statewide for students with disabilities as they prepare to leave secondary schools and access postsecondary institutions for training and subsequent employment.

(n) Develop an incentive system that rewards secondary and postsecondary schools that place young persons with disabilities into competitive employment.

(o) Ensure that data systems transfer data between agencies and that each agency reports annually on its efforts to employ persons with disabilities.

(4) The committee shall present a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2007. The committee is abolished on June 1, 2007.

Section 2. This act shall take effect July 1, 2006.